

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX
February 5, 2007**

Members Present: Sen. Michael G. Waddoups, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Sen. Scott D. McCoy
Rep. Douglas C. Aagard
Rep. Keith Grover
Rep. Christopher N. Herrod
Rep. Curtis Oda
Rep. Jennifer M. Seelig

Members Absent: Sen. Curtis S. Bramble
Rep. Brad King

Staff Present: Gary Ricks, Fiscal Analyst
Derek Byrne, Fiscal Analyst
Carrie Griffith, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Hutchings called the meeting to order at 2:10 p.m.

Sen. Dennis Stowell, accompanied by John Bennett, Governor's Office Planning and Budget, addressed the committee and encouraged them to consider an ongoing request in the amount of \$300,000 for the Governor's Office of Planning and Budget to assist small communities with their planning and growth.

Rep. Hutchings briefly discussed **H.B. 432, Identity Theft Database Amendments** (*Rep. E. Hutchings*) (Iris) and encouraged committee members to consider including it on the Priority List. Fiscal note of \$400,000 one-time supplemental.

MOTION: Rep. Aagard moved to approve the minutes of the January 29, 2007 and the January 31, 2007 meetings. The motion passed unanimously.

MOTION: Rep. Aagard moved to place on the Priority List a one-time supplemental of \$400,000 for the Iris Database. The motion passed unanimously.

The chairs briefly discussed how the remainder of the meeting would proceed. It was suggested the committee look closely at the items on the lists to make sure the numbers look correct.

The following motions were made using two lists prepared by the Fiscal Analysts titled "Executive Offices and Criminal Justice Ongoing Funding List" and "Executive Offices and Criminal Justice One-time Funding List." These lists are attached to the back of the minutes.

MOTION: Rep. Herrod moved to change the number of FTEs for the Guardian ad Litem request from 11 Attorneys and 11.5 Support Staff to 6 Attorneys and 5 Support Staff in the amount of \$814,900 ongoing and a one-time supplemental of \$75,100. The motion passed with Sen. McCoy and Rep. Seelig voting in opposition.

MOTION: Sen. McCoy moved to place the Guardian ad Litem request in the #7 position on the ongoing list and adjust everything below that accordingly. The motion failed with Sen. McCoy and Rep. Seelig voting in the affirmative.

MOTION: Rep. Aagard moved to place **H.B. 432, Identity Theft Database Amendments (Rep. E. Hutchings)** (Iris) for the Attorney General's Office in the amount of \$400,000 to the #7 position on the one-time list.

SUBSTITUTE

MOTION: Sen. Waddoups moved to place **H.B. 432, Identity Theft Database Amendments (Rep. E. Hutchings)** (Iris) for the Attorney General's Office in the amount of \$400,000 to the #4 position of the one-time list. The motion passed unanimously.

MOTION: Sen. Waddoups moved to place Sen. Stowell's one-time request of \$300,000 for self-represented Parties Pilot Program in the #10 position. The motion passed unanimously.

Rep. Hutchings relinquished the chair to Sen. Waddoups.

MOTION: Rep. Hutchings moved to delete #14 from the one-time list, Voting System Hardware Maintenance, and place a \$1.5 million request for Governor's Office Planning and Budget software budget system as the new #5, just under the Hanksville Flooding item. The motion failed in the Senate with Sen. McCoy and Sen. Waddoups voting in opposition.

MOTION: Rep. McCoy moved to delete #14 from the one-time list, Voting System Hardware Maintenance, and place a \$1.5 million request for Governor's Office Planning and Budget software budget system as the new #7 item, under

Methamphetamine Awareness Campaign. The motion passed unanimously.

Derek Byrne, Fiscal Analyst, mentioned that some items on the one-time list correspond with items on the ongoing list, yet are ranked very low on one list and high on the other. He wanted committee members to be aware of this discrepancy as ranking is prioritized during the final motions.

MOTION: Sen. McCoy moved to swap #10, H.B. 28 "Dating Violence Protective Orders," for \$8,000 and #12, "Law Enforcement Performance Measure Survey," for \$45,000 on the one-time funding list. The motion passed unanimously.

MOTION: Rep. Hutchings moved to approve the Federal Funds Request Summary for State FY2007 (14-page handout) as presented by the Fiscal Analysts. The motion passed unanimously.

MOTION: Sen. McCoy moved to approve the Non-General Fund Requests Handled in the Subcommittee--List 3 (handout). The motion passed unanimously.

MOTION: Rep. Aagard moved to adopt the Mandatory Items/Issues Historically Funded List (handout). The motion passed unanimously.

MOTION: Rep. Grover moved to approve the One-Time Funding List as amended. The motion passed unanimously.

MOTION: Rep. Aagard moved to approve the Ongoing List as amended. The motion passed unanimously.

MOTION: Rep. Grover moved to adjourn. The motion passed unanimously.

Sen. Waddoups adjourned the meeting at 3:07 p.m.

Sen. Michael G. Waddoups, Co-Chair

Rep. Eric K. Hutchings, Co-Chair

Executive Offices and Criminal Justice Ongoing GF Funding List

| # | Agency | Agency Rank | Requests | Ongoing GF Requests | 1-Time or Supplemental Requests | Other Funds | Running GF Total |
|---------------|-------------------|-------------|---|----------------------|---------------------------------|---------------------|------------------|
| 1 | State Auditor | 1 | Performance Auditors--2 FTEs | \$ 168,000 | | | \$ 168,000 |
| 2 | \$ Request | NR | JJS Sex Offender Treatment--Rep. Bigelow | \$ 1,490,200 | | \$ 1,165,200 | \$ 1,658,200 |
| 3 | DPS | 1 | State Crime Lab Employee Retention | \$ 250,000 | | | \$ 1,908,200 |
| 4 | DPS | 2 | UHP Tech; Laptops | \$ 462,000 | | | \$ 2,370,200 |
| 5 | Courts | 2 | Law Clerks--3 clerks | \$ 243,900 | | | \$ 2,614,100 |
| 6 | DPS | NR | UHP Salary Compression | \$ 1,500,000 | | | \$ 4,114,100 |
| 7 | Corrections | 1 | Discretionary Salary Increase | \$ 3,135,700 | | | \$ 7,249,800 |
| 8 | Board of Pardons | 1 | Case Analyst | \$ 75,000 | | | \$ 7,324,800 |
| 9 | HB 91 | 3 | CCJJ Funding--Rep. Dee | \$ 2,250,000 | | | \$ 9,574,800 |
| 10 | GAL | 1 | 11 FTEs--6 Attorneys and 5 Support Staff | \$ 814,900 | \$ 75,100 | | \$ 10,389,700 |
| 11 | DPS | NR | Dispatch Compensation | \$ 375,000 | | | \$ 10,764,700 |
| 12 | HB 32 | NR | Expedited Parent-time Enforcement--Rep. Fisher | \$ 255,600 | | \$ 100,000 | \$ 11,020,300 |
| 13 | AG | 1 | Salary Equity Adjustments Attorneys | \$ 1,459,200 | | \$ 1,347,000 | \$ 12,479,500 |
| 14 | Corrections | 5 | Medical Costs | \$ 1,500,000 | | | \$ 13,979,500 |
| 15 | Corrections | 4 | Parole Violation Center (300 Private Contract) | \$ 500,000 | | | \$ 14,479,500 |
| 16 | AG | 2 | Salary Equity Adjustments Investigators | \$ 212,800 | | \$ 63,500 | \$ 14,692,300 |
| 17 | DPS | 3 | DPS Tech Upgrade | \$ 421,100 | | | \$ 15,113,400 |
| 18 | Corrections | 7 | Sex Offender Treatment Expansion | \$ 1,308,900 | | | \$ 16,422,300 |
| 19 | Corrections | 3 | CUCF--192 Funding | \$ 6,111,300 | \$ (4,111,300) | | \$ 22,533,600 |
| 20 | Corrections | 6 | Meth Agents | \$ 773,100 | | | \$ 23,306,700 |
| 21 | Courts | 1 | Courts Contract and Security Increases | \$ 328,900 | | \$ 40,000 | \$ 23,635,600 |
| 22 | JJS | 1 | Replace Federal TCM Funds | \$ 1,666,200 | | | \$ 25,301,800 |
| 23 | Board of Pardons | 2 | Pro-tempore Board Member | \$ 20,000 | | | \$ 25,321,800 |
| 24 | AG | 5 | St. George Child Protection Workload Increase | \$ 130,400 | | \$ 30,600 | \$ 25,452,200 |
| 25 | HB 5 | NR | Internet Sexual Predator Penalties--Rep. Ray | \$ 91,600 | | | \$ 25,543,800 |
| 26 | Courts | 3 | 3rd District Juvenile Court Judge (SB 38--see item 6) | \$ 260,200 | | | \$ 25,804,000 |
| 27 | Governor's Office | 7 | Switch in CCJJ Funding Source | \$ 250,000 | | \$ (250,000) | \$ 26,054,000 |
| 28 | Board of Pardons | 4 | Attorney Contract | \$ 30,000 | | | \$ 26,084,000 |
| 29 | DPS | 4 | DPS Backup Data Storage Upgrade | \$ 61,200 | | | \$ 26,145,200 |
| 30 | JJS | 2 | Replace Crime Victim Restitution Account with GF | \$ 1,320,200 | \$ 500,000 | | \$ 27,465,400 |
| 31 | AG | 6 | UCAT Attorney | \$ 121,000 | | | \$ 27,586,400 |
| 32 | AG | 10 | SLC Child Protection Workload Increase (SB 38) | \$ 117,100 | | \$ 27,500 | \$ 27,703,500 |
| 33 | Corrections | 11 | Jail Reimbursement Growth | \$ 2,800,000 | | | \$ 30,503,500 |
| 34 | Courts | 5 | Juror/Witness/Interpreter Increase | \$ 150,000 | \$ 232,800 | | \$ 30,653,500 |
| 35 | Courts | 4 | Court Commissioner | \$ 144,400 | | | \$ 30,797,900 |
| 36 | Governor's Office | 8 | Travel Expenses for Extradition of Felony Fugitives | \$ 29,000 | | | \$ 30,826,900 |
| 37 | HB 86 | NR | Inc. Penalty for Second--Wimmer | \$ 38,800 | | | \$ 30,865,700 |
| 38 | Corrections | 9 | AP & P Lease Renewals | \$ 218,600 | | | \$ 31,084,300 |
| 39 | HB 25 | NR | Mortgage Fraud--Rep. Ray | \$ 379,800 | \$ 56,500 | | \$ 31,464,100 |
| 40 | Corrections | 8 | Utility Costs | \$ 1,200,000 | | | \$ 32,664,100 |
| 41 | HB 28 | NR | Dating Violence Protective Orders--Rep. Litvack | \$ 121,500 | \$ 8,000 | | \$ 32,785,600 |
| 42 | AG | 13 | Rent Increase (Murray Facility) (\$32,000) | \$ 20,000 | | | \$ 32,805,600 |
| 43 | Board of Pardons | 3 | Office Tech | \$ 35,000 | | | \$ 32,840,600 |
| 44 | HB 93 | NR | Capital Offenses Amendments--Rep. Ray | \$ 21,200 | | | \$ 32,861,800 |
| Totals | | | | \$ 32,861,800 | \$ (3,238,900) | \$ 2,523,800 | |

Executive Offices and Criminal Justice One-time Funding WorkList

| # | Agency | Agency Rank | Requests | Supplemental Funding (FY 2007) | One-Time Funding | Running 1-Time Total |
|---------------|-------------------|-------------|--|--------------------------------|---------------------|---|
| 1 | Courts | 1 | State Court Complex Restricted Funding | | \$ 2,321,700 | \$ 2,321,700 |
| 2 | GAL | 1 | 11 FTEs 6 Attorneys and 5 Support Staff | | \$ 75,100 | \$ 2,396,800 |
| 3 | Corrections | 2 | CUCF--192 Funding | | \$ (4,111,300) | \$ (1,714,500) |
| 4 | HB 432 | NR | AG Iris Database | | \$ 400,000 | \$ (1,314,500) |
| 5 | \$ Request | NR | Hanksville Flooding Relief | \$ 225,000 | | \$ (1,089,500) |
| 6 | Governor's Office | 1 | Methamphetamine Awareness Campaign | | \$ 2,000,000 | \$ 910,500 |
| 7 | Governor's Office | 2 | Budget System | | \$ 1,500,000 | \$ 2,410,500 |
| 8 | JJS | 2 | Replace Crime Victim Restitution Account with GF | \$ 500,000 | | \$ 2,910,500 |
| 9 | DPS | 5 | Redundant System Richfield | | \$ 408,000 | \$ 3,318,500 |
| 10 | Courts | 2 | Self-represented Parties Pilot Program | | \$ 104,900 | \$ 3,423,400 |
| 11 | \$ Request--GOPB | NR | Local Govt. Planning Funds | | \$ 300,000 | \$ 3,723,400 |
| 12 | Courts | 3 | Juror/Witness/Interpreter Increase | \$ 232,800 | | \$ 3,956,200 |
| 13 | \$ Request | NR | Law Enforcement Performance Measure Survey | | \$ 45,000 | \$ 4,001,200 |
| 14 | HB 28 | NR | Dating Violence Protective Orders | | \$ 8,000 | \$ 4,009,200 |
| 15 | HB 25 | NR | Mortgage Fraud--Rep. Ray | | \$ 56,500 | \$ 4,065,700 |
| 16 | Governor's Office | 9 | Voting System Software License | | \$ 1,398,700 | \$ 5,464,400 |
| Totals | | | | \$ 957,800 | \$ 4,506,600 | |
| | | | | | | Supp + 1-time Grand Total \$ 5,464,400 |

Mandatory Items/Issues Historically Funded
General Funds Unless Otherwise Noted--List 2
31-Jan-08
Not in Any Special Order

| | Item/Issue | FY2007 | FY2008 |
|---------------------------------------|---|--------------|----------------------------------|
| AG | Pelt vs. The State of Utah | \$ 610,400 | \$ 322,600On-going |
| AG | DCFS Loss of Federal Match | 975,000 | 875,000On-going |
| AG | David C. Litigation | 200,000 | One-time |
| AG | Tobacco Settlement Cases | 176,900 | 176,900On-going Restricted Funds |
| AG | HR/CSRB Legal Support | 424,600 | 480,700On-going |
| AG | HB213 Defense | 29,900 | One-time |
| AG | Free Speech Coalition vs. State of Utah | 200,000 | One-time |
| Corrections | CUCF--288 Funding | \$ | 613,900Ongoing |
| Totals (Excluding Tobacco Settlement) | | | |
| | | \$ 2,439,900 | \$ 2,292,200 |
| Grand Totals | | | |
| | | \$ 2,616,800 | \$ 2,469,100 |

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| Ongoing GF Funding List | | | | # | Agency | Agency Rank |
|-------------------------|---|---------------------------------|-------------|------------------|------------------------------------|-----------------------------|
| Requests | Ongoing GF Requests | 1-Time or Supplemental Requests | Other Funds | Running GF Total | | |
| AG | Pelt vs. The State of Utah | \$322,600 | \$ | | | 322,600 |
| AG | DCFS Loss of Federal Match | \$875,000 | \$ | | | 1,197,600 |
| AG | Tobacco Settlement Cases | 176,900 \$ | | | | 1,197,600 |
| AG | HR/CSRB Legal Support | 480,000 \$ | | | | 1,197,600 |
| Corrections | 2 CUCF--288 Funding | 613,900 \$ | \$ | | | 1,811,500 |
| JJS 1 | Replace Federal TCM Funds | \$ | | | | 1,666,200\$3,477,700 |
| 1 State Auditor | 1 Performance Auditors--2 FTEs | \$ | | | | 168,000\$3,645,700 |
| 2 \$ Request | NR JJS Sex Offender Treatment--Rep. Bigelow | | \$ | | 1,490,200\$1,165,200\$5,135,900 | |
| 3 DPS 1 | State Crime Lab Employee Retention | \$ | | | | 250,000\$5,385,900 |
| 4 DPS 2 | UHP Tech; Laptops | \$ | | | | 462,000\$5,847,900 |
| 5 Courts 2 | Law Clerks--3 clerks | \$ | | | | 243,900\$6,091,800 |
| 6 DPS NR | UHP Salary Compression | \$ | | | | 1,500,000\$7,591,800 |
| 7 Corrections | 1 Discretionary Salary Increase | \$ | | | | 3,135,700\$10,727,500 |
| 8 Board of Pardons | 1 Case Analyst | \$ | | | | 75,000\$10,802,500 |
| 9 HB 91 3 | CCJJ Funding--Rep. Dee | \$ | | | | 2,250,000\$13,052,500 |
| 10 GAL 1 | 11 FTEs--6 Attorneys and 5 Support Staff | \$ | | | 814,900\$75,100\$13,867,400 | |
| 11 DPS NR | Dispatch Compensation | \$ | | | | 375,000\$14,242,400 |
| 12 HB 32 NR | Expedited Parent-time Enforcement--Rep. Fisher | \$ | | | 255,600\$100,000\$14,498,000 | |
| 13 AG 1 | Salary Equity Adjustments Attorneys | \$ | | | 1,459,200\$1,347,000\$15,957,200 | |
| 14 Corrections | 5 Medical Costs | \$ | | | | 1,500,000\$17,457,200 |
| 15 Corrections | 4 Parole Violation Center (300 Private Contract) | | \$ | | | 500,000\$17,957,200 |
| 16 AG 2 | Salary Equity Adjustments Investigators | | \$ | | 212,800\$63,500\$18,170,000 | |
| 17 DPS 3 | DPS Tech Upgrade | \$ | | | | 421,100\$18,591,100 |
| 18 Corrections | 7 Sex Offender Treatment Expansion | \$ | | | | 1,308,900\$19,900,000 |
| 19 Corrections | 3 CUCF--192 Funding | \$ | | | 6,111,300\$(4,111,300)\$26,011,300 | |
| 20 Corrections | 6 Meth Agents | \$ | | | | 773,100\$26,784,400 |
| 21 Courts 1 | Courts Contract and Security Increases | \$ | | | | 328,900\$40,000\$27,113,300 |
| 22 JJS 2 | Replace Crime Victim Restitution Account with GF | | \$ | | 1,320,200\$500,000\$28,433,500 | |
| 23 Board of Pardons | 2 Pro-tempore Board Member | \$ | | | | 20,000\$28,453,500 |
| 24 AG 5 | St. George Child Protection Workload Increase | \$ | | | | 130,400\$30,600\$28,583,900 |
| 25 HB 5 NR | Internet Sexual Predator Penalties--Rep. Ray | \$ | | | | 91,600\$28,675,500 |
| 26 Courts 3 | 3rd District Juvenile Court Judge (SB 38--see item 6) | | \$ | | | 260,200\$28,935,700 |
| 27 Governor's Office | 7 Switch in CCJJ Funding Source | \$ | | | 250,000\$(250,000)\$29,185,700 | |
| 28 Board of Pardons | 4 Attorney Contract | \$ | | | | 30,000\$29,215,700 |
| 29 DPS 4 | DPS Backup Data Storage Upgrade | \$ | | | | 61,200\$29,276,900 |
| 30 AG 6 | UCAT Attorney | \$ | | | | 121,000\$29,397,900 |
| 31 AG 10 | SLC Child Protection Workload Increase (SB 38) | | \$ | | 117,100\$27,500\$29,515,000 | |
| 32 Corrections | 11 Jail Reimbursement Growth | \$ | | | | 2,800,000\$32,315,000 |
| 33 Courts 5 | Juror/Witness/Interpreter Increase | \$ | | | 150,000\$232,800\$32,465,000 | |
| 34 Courts 4 | Court Commissioner | \$ | | | | 144,400\$32,609,400 |
| 35 Governor's Office | 8 Travel Expenses for Extradition of Felony Fugitives | | \$ | | | 29,000\$32,638,400 |
| 36 Corrections | 9 AP & P Lease Renewals | \$ | | | | 218,600\$32,857,000 |
| 37 HB 25 NR | Mortgage Fraud--Rep. Ray | \$ | | | 379,800\$56,500\$33,236,800 | |
| 38 Corrections | 8 Utility Costs | \$ | | | | 1,200,000\$34,436,800 |
| 39 HB 28 NR | Dating Violence Protective Orders--Rep. Litvack | \$ | | | 121,500\$8,000\$34,558,300 | |
| 40 AG 13 | Rent Increase (Murray Facility) (\$32,000) | \$ | | | | 20,000\$34,578,300 |
| 41 Board of Pardons | 3 Office Tech | \$ | | | | 35,000\$34,613,300 |
| 42 HB 93 NR | Capital Offenses Amendments--Rep. Ray | \$ | | | | 21,200\$34,634,500 |
| Totals | | \$ | | | 34,634,500\$(2,637,400)\$3,181,400 | |

Executive Offices and Criminal Justice One-time Funding List

| # Agency | Agency Rank | Requests | Supplemental | | |
|----------------------|-------------|--|--------------------|--------------------|----------------------|
| | | | Funding (FY 2007) | One-Time Funding | Running 1-Time Total |
| 0 AG | | David C. Litigation | \$ 200,000 | | \$ 200,000 |
| 0 AG | | HB213 Defense | \$ 29,900 | | \$ 229,900 |
| 0 AG | | Free Speech Coalition vs. State of Utah | \$ 200,000 | | \$ 429,900 |
| 1 Courts | 1 | State Court Complex Restricted Funding | | \$ 2,321,700 | \$ 2,751,600 |
| 2 GAL | 1 | 11 FTEs 6 Attorneys and 5 Support Staff | | 75,100 | \$ 2,826,700 |
| 3 Corrections | 2 | CUCF--192 Funding | | \$ (4,111,300) | \$ (1,284,600) |
| 4 HB 432 | NR | AG Iris Database | | \$ 400,000 | \$ (884,600) |
| 5 \$Request | NR | Hanksville Flooding Relief | \$ 225,000 | | \$ (659,600) |
| 6 Governor's Office | 1 | Methamphetamine Awareness Campaign | | \$ 2,000,000 | \$ 1,340,400 |
| 7 Governor's Office | 2 | Budget System | | \$ 1,500,000 | \$ 2,840,400 |
| 8 JUS | 2 | Replace Crime Victim Restitution Account with GF | \$ 500,000 | | \$ 3,340,400 |
| 9 DPS | 5 | Redundant System Richfield | | \$ 408,000 | \$ 3,748,400 |
| 10 Courts | 2 | Self-represented Parties Pilot Program | | \$ 104,900 | \$ 3,853,300 |
| 11 \$Request--GOPB | NR | Local Govt. Planning Funds | | \$ 300,000 | \$ 4,153,300 |
| 12 Courts | 3 | Juror/Witness/Interpreter Increase | \$ 232,800 | | \$ 4,386,100 |
| 13 Request | NR | Law Enforcement Performance Measure Survey | | \$ 45,000 | 4,431,100 |
| 14 HB 28 | NR | Dating Violence Protective Orders | | \$ 8,000 | \$ 4,439,100 |
| 15 HB 25 | NR | Mortgage Fraud--Rep. Ray | | \$ 56,500 | \$ 4,495,600 |
| 16 Governor's Office | 9 | Voting System Software License | | \$ 1,398,700 | \$ 5,894,300 |
| Totals | | | \$1,387,700 | \$4,506,600 | \$5,894,300 |

Supp + 1-time

Grand Total